

## **REMARKS**

In response to the Office Action, Applicant respectfully requests reconsideration based on the enclosed declaration and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

### **I. The Rejections Under 35 U.S.C. § 102(e)**

Claims 1, 3-7, 10, 12-18, 20-21, 23, and 25-37 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2002/0080074 to Wang ("Wang"). Without admitting to or acquiescing to any of the assertions made in the Official Action concerning Wang and expressly reserving the right to challenge any or all of such assertions should it be necessary in the future, Applicant is herewith submitting a Declaration of Steven Neil Tischer Under 37 C.F.R. § 1.131 which effectively swears behind and removes Wang as a reference. Accordingly Applicant traverses this rejection.

### **II. The Rejections Under 35 U.S.C. § 103(a)**

Claims 2, 8, 9, 11, 19, 22 and 24 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wang in view of U.S. Patent Publication No. US 2003/0021087 to Lunsford ("Lunsford"). Without admitting or acquiescing to any of the specific assertions made in the Official Action concerning Lunsford and/or the combination of Wang and Lunsford, Applicant submits that, as was discussed above, the enclosed Declaration has removed Wang as a reference. Accordingly, the combination of Wang and Lunsford is improper. Thus, a *prima facie* case of obviousness has not been established with respect to claims 2, 8, 9, 11, 22 and 24 based on the asserted combination of Wang and Lunsford.

*Application Serial No. 09/929,921  
Amendment dated September 16, 2004  
Reply to Official Action of June 17, 2004*

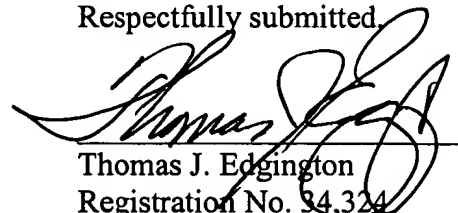
### **III. Information Disclosure Statement**

Applicant filed an Information Disclosure Statement and Form PTO-1449 contemporaneously with the subject application. Copies of those documents and copies of the Utility Patent Application Transmittal Sheet which accompanied the subject application and which identified those documents is also enclosed. Also enclosed is a copy of the self-addressed post card which lists, among other things, the Information Disclosure Statement and bears the PTO date stamp. The Official Action failed to confirm that the reference cited in that Information Disclosure Statement has been considered. Accordingly, Applicant requests a copy of the initialed Form PTO 1449 confirming that the art cited thereon has been considered.

### **IV. Conclusion**

Applicant submits that all of the pending claims are in condition for allowance. Accordingly, reconsideration and withdrawal of the rejections in the Official Action and passage to allowance of all the pending claims at an early date are earnestly solicited. However, if the Examiner has any remaining concerns regarding Applicant's present Amendment, she is invited to contact the Applicant's undersigned attorney at the telephone number listed below so that those concerns may be expeditiously addressed.

Respectfully submitted,



Thomas J. Edgington  
Registration No. 34,324  
Attorney for Applicant

Kirkpatrick & Lockhart LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, Pennsylvania 15222  
(412) 355-8303



# Invention Disclosure Tracking Sheet

RECEIVED

SEP 21 2004

Technology Center 2600

File # 00319

K4L 010159

Disclosure Title:

MULTI-PURPOSE ANTENNA ACCESSORY for  
PROTECTION of PORTABLE, WIRELESS COMMUNICATION DEVICES

Inventor(s):

STEVE TISCHER

Inventor Data Attached ☒

Inventor Data Attached ☐

Inventor Data Attached ☐

Inventor Data Attached ☐

Inventor Data Attached ☐

Inventor Data Attached ☐

Disclosure Process:

☒ Technology Review VM

Date

☐ Disclosure Award

Date

☒ Disclosure Docketed SB

Date

☐ Application Filed

Date

☐ Filing Award

Date

☐ US Patent # \_\_\_\_\_ (int) \_\_\_\_\_

Date

☐ Issuance Award \_\_\_\_\_

Date

Provisional Application Filed? Yes / No

Disclosure Meeting Date: \_\_\_\_\_

Law Firm Prepared: KL / KS / SP / WW

Law Firm Assigned: KL / KS / SP / WW

RESTRICTED: For use only by authorized individuals

RECEIVED  
Rev 1799

SEP 21 2004

**BELLSOUTH INVENTION DISCLOSURE FORM**

Technology Center 2600

This form should be used to communicate potentially useful innovations to the Company. You may use existing materials, including schematic diagrams, flow charts, sketches, or other documents, to describe your invention. Include dates only if known or readily available.

Completed forms and questions should be forwarded to your Intellectual Property (I.P) Coordinator or to BellSouth Intellectual Property Management Corporation : La Veria Baker, Technology Asset Manager, phone (404) 249-2867, FAX (404) 249-2822, [laveria.baker@bellsouth.com](mailto:laveria.baker@bellsouth.com); or Vernon Meadows, Director-Technology, phone (404) 249-2854, FAX (404) 249-2822, [vernon.meadows@bellsouth.com](mailto:vernon.meadows@bellsouth.com).

**1. Inventor Names / Phone Numbers**1. Steve Tischer Telephone: 404-982-7244

2. \_\_\_\_\_

3. \_\_\_\_\_

(Attach Sheets as necessary)

**2. Descriptive Title of the Invention. (Limit to ten words, this does not have to be exact.)**Multi-purpose antenna accessory for protection of portable, wireless communications devices**3. State the problem(s) solved by this invention.**

- a) Service is intermittent on handheld communications devices often because of insufficient antenna.
- b) There is frequently no obvious way to extend the radio frequency antenna design on a handheld device in a safe way (too pointed, easily broken off, not attractive.)
- c) The rapid proliferation of devices in this market space makes consumers reluctant to invest in expensive peripherals.
- d) Protectors for small devices are detachable (losable), not transparent, or not discreet enough to be desirably worn (Many people don't want a large belt-resident pager holder, and would prefer having the device in a purse or pocket as an all-in-one-piece, where the protector prevents damage and spurious message creation.)

**4. Describe the invention briefly. Include its operation, purpose, environment, and new elements (e.g. components, process steps, network configuration) and how problem(s) were solved.**

(Optional- Attachments and separate sheets).

(Please see the enclosed photos)

The proposed device is a capacitively-coupled antenna laminated into a flexible plastic protector for handheld devices. The current prototype has a single piece of aluminum tape which has been cut to fit along the body of the handheld device nearest the internal body where it can couple to that internal part. Actual electrical contact is not required for this electromagnetic effect. This area is taped to the handheld device. The same piece of flexible aluminum continues around to the protective area where it forms a tuned antenna for the transmitter/receiver. This antenna length can be tuned to the operating frequencies. When the protective covering is open this antenna affords an extended antenna enhancing reception and transmission.

These accessories could be made for many different handheld devices either as an after-market or original equipment option. Additionally, a second joint could be included in the cover plastic so the cover could either be folded up vertically—much as in the photos—or doubly folded around the back of the device to get it out of the way.

This protector allows the handheld device to be safely used in a pocket or purse without allowing other objects to either damage the LCD screen or accidentally send a message.

The same functionality described here could be built into an attractive desktop stand that the handheld device could be in so the worker could see the face and have the extended antenna use at the same time.

The accessory could also be made of colorful translucent plastic.

**RESTRICTED**

Contains private and/or proprietary information.  
May only be used for authorized BellSouth business purposes  
and only by authorized individuals.



5. \_\_\_\_\_ the closest known technology. (If readily accessible attach article, patent, catalog sheet or other documentation)

Flip top for cellular phone for making an ear piece

5. Has the invention been publicly used or disclosed outside of BellSouth? Yes / No? (Date \_\_\_\_\_)

To whom did you first disclose this invention (Name): \_\_\_\_\_ My immediate group

7. When is the estimated (deployment date, trial date) or (public disclosure, first sale)? (if known)  
Date: \_\_\_\_\_

8. Date the invention was first built and tested. Date: \_\_\_\_\_

9. Has the invention been offered for sale? (Yes/ No) Date: \_\_\_\_\_  
No

10. Did the invention result from work on a development contract? Yes/ No?: Who was the contracting (Company / Person)?  
No

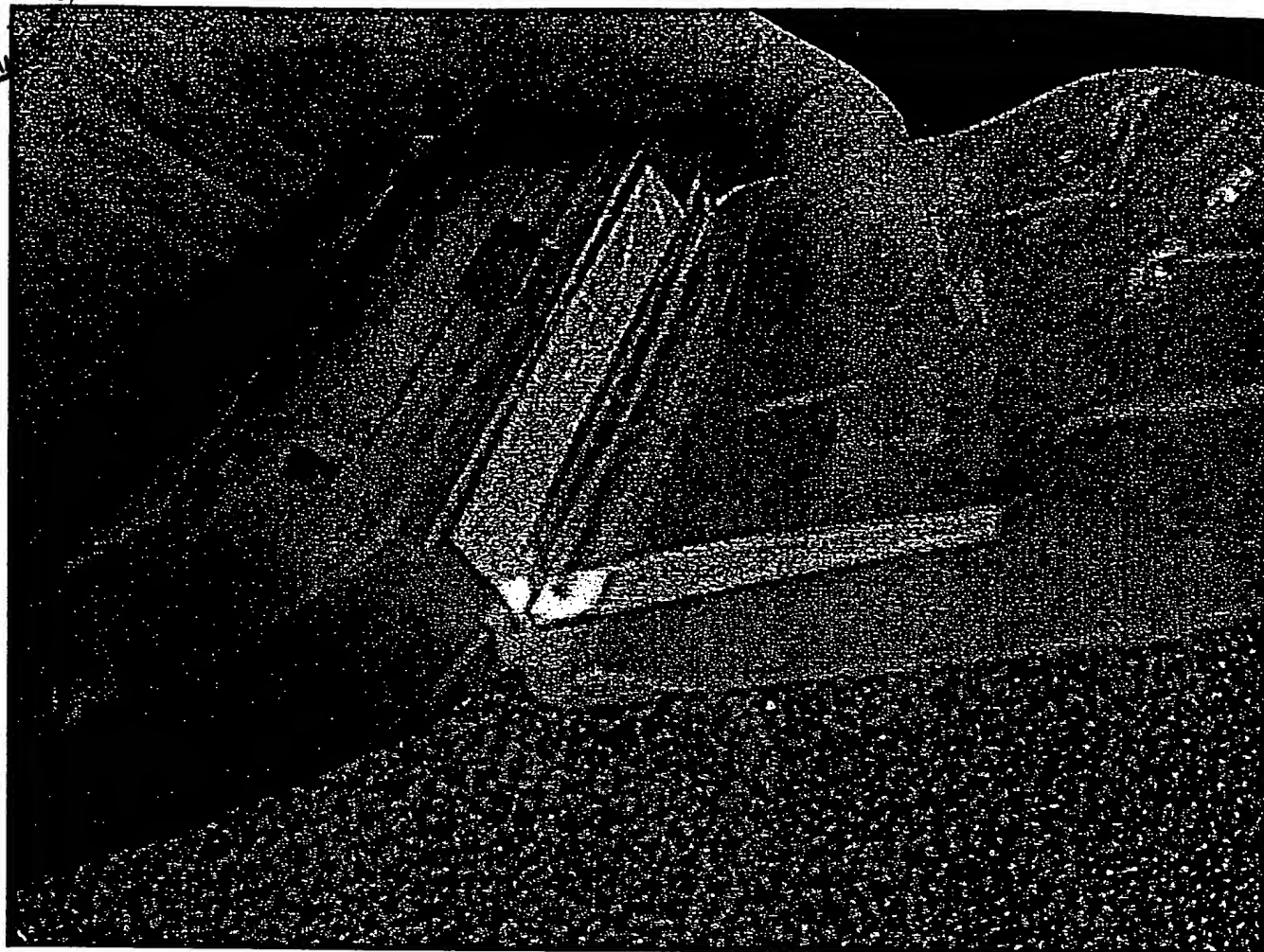
**RECEIVED**

SEP 21 2004

Technology Center 2600

**RESTRICTED**

Contains private and/or proprietary information.  
May only be used for authorized BellSouth business purposes  
and only by authorized individuals.



## PHOTO B

Photo B: Shows the maximum-open position with the antenna fully extended, and the lamination of the protective covering over the aluminum part. The aluminum strip along the pager body is double-stick-taped to the pager and provides capacitive coupling for the antenna to the device, requiring no wire to be attached.

### RESTRICTED

Contains private and/or proprietary information.  
May only be used for authorized BellSouth business purposes  
and only by authorized individuals.

PIPE JGZ  
SEP 16 2004  
PATENT & TRADE

Rev 1/99

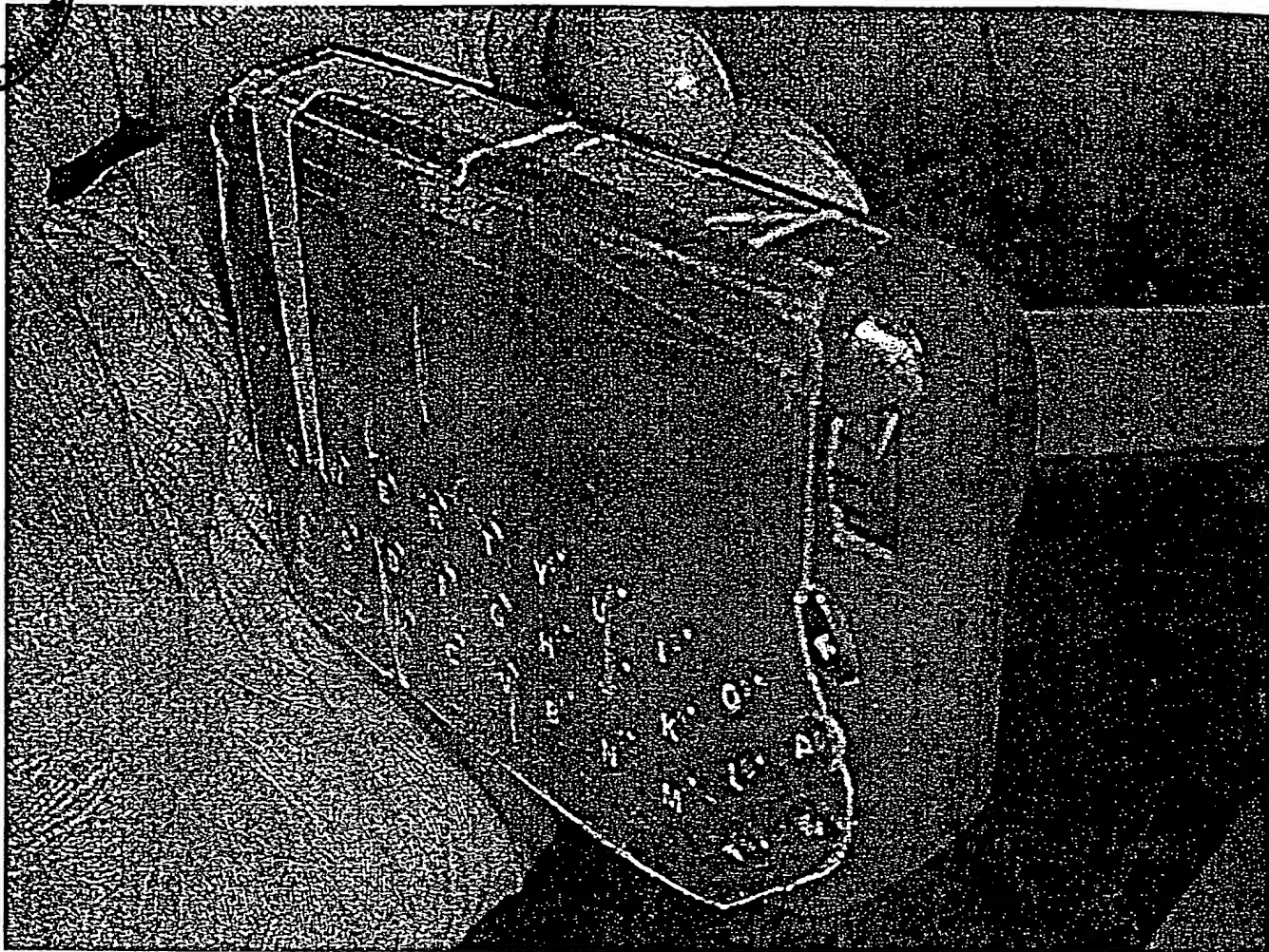
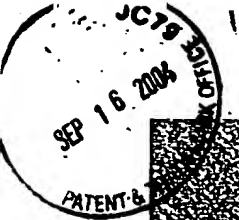


## PHOTO C

Photo C: Shows the transparent protective cover in closed position with cutouts for the most-used keys.

### RESTRICTED

Contains private and/or proprietary information.  
May only be used for authorized BellSouth business purposes  
and only by authorized individuals.



## PHOTO D

Photo D: The cover is in the closed position with the capacitively-coupled part at top with the antenna part pointing down.

### RESTRICTED

Contains private and/or proprietary information.  
May only be used for authorized BellSouth business purposes  
and only by authorized individuals.